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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/819,326      | 03/28/2001  | Ullas Gargi          | 10006307-1          | 4373             |

7590 08/13/2004  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

HAILU, TADESSE

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2173

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/819,326             | GARGI, ULLAS        |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Tadesse Hailu          | 2173                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 15-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. This Office Action is in response to the AMENDMENT entered on April 23, 2004 for patent application (09/819,329).
2. Based on the persuasive argument presented by the applicant, rejections based on the newly cited references follow.
3. The pending claims 1-13, and 15-19 are examined herein as follow.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-11, 13 and 15-16, 18, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat 6,638,313 to Freeman et al.

With regard to claim 1:

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Freeman is related to managing personal electronic information which uses a time-ordered stream as a storage model and stream filters to organize, locate summarize and monitor incoming information (column 3, lines 65-column 4, lines 9).

Freeman discloses a method for accessing said personal electronic information from the storage model.

Freeman's method includes among other steps, displaying a stack of partially overlapping images that are directly representative of display information of a plurality of said personal electronic information from the storage model (see Fig. 1), including presenting only a portion of said display information for each said image that is overlapped by another said image in said displayed stack (Fig. 1).

Freeman's method further includes a dynamic operation that provides automatic monitoring of information (column 5, lines 1-13). The method further includes as a user slides the mouse pointer 10 over the document representations (thumbnails), the X windows (operating system) automatically tracks each path (screen coordinate values) of the cursor and displays a glance at each document (column 6, lines 38-50).

Freeman's method also includes revealing (glancing) an increased portion of each said images in response to detecting that said display icon is positioned in alignment with said image (see the revealed document 100 in Fig. 1, column 6, lines 30-44). Freeman's method also includes said revealing being triggered just by moving or sliding the mouse cursor over the stacked documents, that is no other input, such as clicking the mouse button by the user is not required (column 15, lines 28-33).

With regard to claim 2:

As illustrated in Fig. 1, Freeman further discloses displaying said displayed stack (Fig. 1) includes presenting only a minor portion of each image, with an exception of a foremost image in said displayed stack (Fig. 1), said memory-stored items being image documents, wherein each said sequential presentation of said increased portions of said images (see the cascaded arrangement of Fig. 1) is an automated response that is based merely on positioning of said display cursor so as to sequentially vary said foremost image during said sliding (scanning) (column 6, lines 38-50, column 15, lines 21-33).

With regard to claim 3:

Freeman further discloses that said images in said displayed stack are a subset of available images in storage (column 15, lines 38-41).

Freeman further discloses a slider 20 with past (back or decrement) and future (forward or increment) arrow icons. Aligning or fixing the cursor on the (forward or increment) arrow icon (see slider, Fig. 1) for a set period of time, the method enables incrementing the remaining subset document forward within said storage of images in response to detecting that said display icon has been in fixed (alignment) with said incrementing icon for a set period of time (column 7, lines 60-66).

Freeman further discloses fixing (aligning) the cursor on the past (back or decrement) arrow icon (see slider, Fig. 1) for a set period of time, the method enables decrementing the remaining subset document backward within said storage of images in response to detecting that said display icon has been in fixed (alignment) with said decrementing icon for a set period of time (column 7, lines 60-66).

Freeman further discloses user will be able to view different stacks of said available images accessed from storage during incrementing and decrementing the stacks (column 7, lines 50-66).

With regard to claim 4:

Freeman also discloses scrolling through each said image in said displayed stack during said set period of time, including revealing each said image in entirety during said set period of time before a different stack is displayed (column 6, lines 38-50, column 7, lines 50-66).

With regard to claim 5:

Freeman further discloses that said displaying and glancing (revealing) are directed to a first window area of a display screen (Fig. 1), Freeman further discloses that opening a specific memory-stored item in response to a selection of a specific image in said displayed stack (see Fig. 1, the selected image/document 100 is shown, column 7, lines 50-66). Freeman further discloses said specific memory stored item being directly related to said specific image, said opening of said specific memory stored item occurring in a second window area of said display screen (column 6, lines 43-50). For example, as illustrated Fig. 1, the selected image/document 100 is shown offset to the side (second) of window area.

With regard to claim 6:

Freeman further discloses that displaying said stack of images (Fig. 1) includes presenting thumbnail images from video files (document comprises video files, see column 14, lines 36-39) and wherein said step of opening said specific memory-stored

item includes running a specific video file when a directly related thumbnail image is selected (see Fig. 1, (column 6, lines 43-50).

With regard to claim 7:

Freeman further discloses that increased portions of said images includes generating pop-up images above said stack as said display icon is moved into alignment with said images in said displayed stack. Freeman further discloses that the glancing or revealing further including preserving said images in said displayed stack such that said displayed remains intact while said pop-up images are generated (column 6, lines 43-50). As illustrated in Fig. 1, the stack remains intact even during document 100 are pop out from the stack that is no rearrangement of the stack is required.

With regard to claim 8:

Freeman further discloses that presenting document, wherein document comprises file information (column 14, lines 36-39) accessed from memory. Again, the file information presentations is in correspondence with said revealing of said increased portions of said images, that is, as illustrated in Fig. 1, document 100 (or file information) is revealing by showing its image.

With regard to claim 9:

Freeman also describes that his invention is also implemented in a client/server architecture running over the Internet, including a client application. Furthermore, Freeman discloses that the step of displaying, tracking and revealing are



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implemented from a web page of the World Wide Web environment (column 3, lines 11-16).

With regard to claim 10:

Freeman further discloses the step of enabling manipulation of file storage and transfer in response to user-initiated designations directed toward said displayed stack (column 16, lines 31-46). As user slides the displayed cursor over the stack user will be able to glance the image of each document accessed or transferred from the memory storage.

With regard to claim 11:

Freeman also discloses a computer system (column 2, lines 49-61) including among other things a display device (Fig. 1).

Freeman also discloses a source of image files (column 2, lines 42-50, column 2, lines 49-61, column 4, lines 9-24).

Freeman also discloses at least one document stream operating system processor enabled to manipulate said image files from said source for visual presentation at said display device (column 2, lines 18-65, Fig. 1).

Freeman also discloses a cursor-control device (Fig. 1, #10) and an operatively associated driver program (controlled by document stream operating system) accessible by said at least one processor to manipulate movement of a cursor along said display device (column 6, lines 38-42, column 15, lines 28-33).

Freeman also discloses computer programming accessible by said at least one document stream operating system processor to provide instructions for manipulating said image files from said source (column 3, lines 1-11).

Freeman further discloses that said computer programming being cooperative with said at least one processor to generate a display of a stack of said image files at said display device such that said stack includes overlapping representations of a plurality of associated said image files from said source (column 3, lines 13-30, column 4, lines 62-65, see also Fig. 1).

Freeman further discloses that said computer programming being cooperative with said at least one processor to respond directly to alignment of said cursor with said display of said stack by generating a user-selected Image of a representation on which said cursor resides (column 6, lines 38-42, column 8, lines 3-6, column 15, lines 28-33), said user-selected image being misaligned (see the offset document 100, Fig. 1) with respect to said representations in said stack and being a display of the specific image file associated with said representation on which said cursor resides (see Fig. 1, column 15, lines 28-33).

Freeman further discloses that said computer programming includes a cursor-detection (document stream operating system tracks the each movement of a cursor) that is sensitive to positioning of said cursor to generate said user selected image based merely an said sliding (positioning) of said cursor (column 15, lines 28-33). Freeman further describes that external applications (column 6, lines 51-58) are used to view and edit the generated documents, which the user can select by clicking (a second

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user-initiated designation) on the documents graphical representation. For example by clicking on document representation 100 (Fig. 1), user will be able to open and the view the document (column 6, lines 51-58). As disclosed by Freeman the opening (view and edit) a document is implemented by external applications (by clicking on the document), whereas the generation of said user selected image are executed separately and differently (e.g., without clicking on the document).

With regard to claim 13:

Freeman discloses the use of a pointing device or conventional mouse input to manipulate the displayed application (see Fig. 1, #10).

With regard to claim 15:

Freeman discloses that said computer programming further includes a slider 20 (stack-Incrementing module) that is responsive to said positioning of said cursor (a) to sequentially scroll through said representations in said stack (Fig. 1) with respect to generating a sequence of said user-selected images (column 3, lines 17-33, column 15, lines 28-33). Freeman further discloses generating a succession of said stacks (as cursor remains for a set period time, column 7, lines 60-66) in which each subsequent stack is presented following said sequential scrolling through said representations In an Immediately preceding stack (column 6, lines 38-50, column 7, lines 60-66).

With regard to claim 16:

Freeman discloses a method of accessing stored image files comprising the steps of: displaying an arrangement of images In which regions of rear ward images are partially covered by forward Images (see the arrangement of images in Fig. 1), said

images in said arrangement being "first-level Images" that correspond to said image files (the stacked images of Fig. 1 are the "first-level Images").

Freeman also discloses displaying "a second-level Image" each time that a user manipulated indicator is positioned in perceived contact with an exposed region of a "first-level image", said displayed "second-level image" being at least partially offset from said arrangement and having a direct correspondence with the first-level image with which said user-manipulated indicator is in perceived contact (the offset image 100 (glanced image) of Fig. 1 is the "second-level Images").

Freeman further discloses displaying a "third-level image" each time that a "second-level image" is selected, including opening the stored image file that corresponds to said second-level image, which is selected (column 6, lines 51-58). As described by Freeman external application is used to view and edit the glanced image 100 ("second-level image"), which reads on the claimed "third-level image".

With regard to claim 18:

Freeman further discloses that said step of displaying said arrangement includes forming a stack of axially aligned overlapping first-level Images (see Fig. 1, the stacked images), said step of displaying said second-level image (see Fig. 1, the offset image 100) including exposing an entirety of said first-level image at a position adjacent to said stack and within a same window as said stack. For example as seen in Fig. 1, the offset image 100 (second-level image) and the rest of the stack (first-level images) are shown in a single window (see Fig. 1).

With regard to claim 19:

Freeman further discloses that the step presenting file information (such as name of the image) regarding the corresponding image file for each second-level image that is displayed (column 2, lines 24-29).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat 6,638,313 to Freeman et al in view of US Pat No 6,768,999 to Prager et al.

Claim 12 calls for said source of images is a stored library of digital photographs. While Freeman describes that a document can contain any type of data including but not limited to pictures, correspondence, bills, movies, voice mail and software programs (column 4, lines 9-24), but Freeman does not describe that said document (or source of images) being a stored library of digital photographs. Prager, on the other hand, describes an information item or asset in his system can be any type--a file, an email message, bookmark, IRL, memo, draft, scanned image, calendar note, photo, shopping list, voicemail, rolodex or business card, a video clip, etc (column 2, lines 1-5).

Freeman and Prager are analogous art because they are from the same field of endeavor, that is stream based information management system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the photo document of Prager with document of Freeman because as described by Freeman (column 4, lines 9-24), since Freeman's document is not limited to any type of data, thus incorporating the photo document will enable Freeman to work with a variety type of document and creates content richer environment.

Therefore, it would have been obvious to combine Freeman with Prager to obtain the invention as specified in claim 13.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat 6,638,313 to Freeman et al in view of US Pat No 6,360,116 to Jackson, Jr. et al.

With regard to claim 17:

The claim requires "said first-level images, second-level image, and third-level image are displayed simultaneously on a computer screen." Freeman discloses simultaneously displaying both the stacked images (first-level images) and the selected image 100 from the stack (second –level image) on a computer screen as shown in Fig. 1, Furthermore, Freeman does teach "a third-level image", that is, external application are used to view (enlarged image) and edit the glanced image 100 ("second–level image"), wherein the image to be viewed or edited is the claimed "third-level image". However Freeman does not mentioned simultaneously displaying the stacked images (first-level images), the selected image 100 from the stack (second –level image) and the "third-level image. Jackson, Jr ("Jackson"), on the other side, discloses said first-

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level images, second-level image, and third-level image are displayed simultaneously on a computer screen (column 2, lines 49-61, **Fig. 7**).

Jackson and Freeman are analogous art because they are from the same field of endeavor, that is image manipulation.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the simultaneously display feature as described in Jackson with the graphical user interface of Freeman.

The suggestion/motivation for doing so would have been to provide multiple views of a target image/images and facilitates operation on the target image (Jackson, column 2, lines 49-61).

Therefore, it would have been obvious to combine Freeman with Jackson to obtain the invention as specified in claim 17.

### CONCLUSION

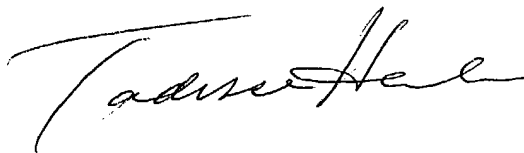
7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 1.111(c) to consider these reference fully when responding to this action. The documents cited, Bates et al (US 5,377,317), Jaaskelainen, Jr. (US 5,835,088), and Filetto et al (US 6,300,951) describe features related to independent claims 1, and 11. These claims include, among others, cascaded or overlapped application windows, wherein when one of the application windows is selected, the selected application window will be in focus.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 – 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Tadesse Hailu*

July 29, 2004

A handwritten signature in black ink, appearing to read "Tadesse Hailu", written in a cursive style.